IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

Bail Appl..No. 2255 of 2007()

(CRIME NO. 383/2004 OF HARIPAD POLICE STATION)

PETITIONER/ACCUSED No.2:

SHAREEF,NIZAM MANZIL,THULAMPARAMBU
THEKKUM MURI,HARIPAD VILLAGE,ALAPPUZHA DISTRICT.

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENT/COMPLAINANT:

STATE OF KERALA REPRESENTED BY THE
PURBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2255/2007

Dated this 13th day of April, 2007

O R D E R

The petitioner, who is the second accused in Crime No.383/2004 of Haripad Police Station for offences punishable under Sections 143, 147, 148, 323, 324 and 307 IPC read with Section 149 IPC, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The occurrence took place at about 8.15 p.m on 6.9.2006 during which the accused persons armed with deadly weapons like iron rod etc, had assaulted the defacto complainant and caused serious injuries resulting in his hospitalisation for more than one month.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction.

Accordingly, the petitioner shall surrender before the investigating officer on any day between 19-4-2007 and 21-04-2007 for the purpose of interrogation. The petitioner shall thereafter be produced on the same day before the Magistrate who shall consider his application for regular bail preferably on the same date on which such application is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs